

# **FREDERICK COUNTY BOARD OF APPEALS MEETING MINUTES FOR Thursday, March 22, 2012**

Alan Duke, Chair, called to order the regular meeting of the Frederick County Board of Appeals ("Board") for Thursday, March 22, 2012 at 7:00 p.m. in the 3<sup>rd</sup> Floor Meeting Room in Winchester Hall. Present were Carole Jaar Sepe, Robert Fenimore, Mike Bowersox and John Capoccia. Also present were Michael Chomel, Senior Assistant County Attorney, and Community Development Division staff Larry Smith, Zoning Administrator, and Craig Terry, Planner.

*Official Minutes of the Board of Appeals' meetings are kept on file in the Planning Division.*

The Chair stated the rules and procedures for the hearing.

## **Approval of Minutes**

On a motion from Mr. Bowersox, seconded by Mr. Capoccia, the Board approved the minutes of February 23, 2012 (Yea 5, Nay 0, Abstain 0)

## **Cases**

The Chair swore in all persons who expected to testify at the meeting.

### **B-12-01 Samuel L. Boyer**

An application was filed for a variance of 25 feet from the required 55 ft. front yard setback as measured from Brunswick Street in order to construct a single-family dwelling, located on the southeast corner of Brunswick Street and Addition Avenue, (Tax Map 91, Parcel 262, Lot 7), Zoned Residential (R-5).

Mr. Bowersox made a motion that the property was found unique and that the Applicant met criteria set forth in Sections 1-19-3.220. The motion was amended by Mr. Duke to include that the application was approved. The motion was seconded by Mr. Fenimore. The Board voted and approved the application. (Yea 5, Nay 0, Abstain 0)

### **B-12-03 Monocacy Montessori Communities, Inc.**

An application was filed for a special exception to establish a public charter elementary school, located on the north side of Crestwood Blvd., at the southeast quadrant of Crestwood Blvd. and Corporate Court (Tax Map 86, Parcel 215, Lot 17) Zoned Office Research Industrial (ORI).

On a motion from Ms. Sepe, seconded by Mr. Bowersox, the Board unanimously granted the special exception request with one condition to be included in the Findings and Decisions on the basis of the Applicant having satisfied the requirements set forth in Sections 1-19-3.210. (Yea 5, Nay 0, Abstain 0)

## **Discussion on proposed text amendments.**

The Board discussed potential text amendments specifically Section 1-19-3.220 (C) (2) (b) on variance; the majority opted to leave the language as is.

**Closing** – The Chair announced that the next meeting will be held on April 26, 2012.

